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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,974	09/06/2001	Valerie Molto	1948-4758	7873

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NEW YORK, NY 10154

EXAMINER

TON, ANABEL

ART UNIT PAPER NUMBER

2875

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/914,974

Applicant(s)

MOLTO ET AL.

Examiner

Anabel M Ton

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato (5,816,680)
2. Sato discloses an indicator lamp defined by a certain angular interval for a motor vehicle, delimited at least on one side corresponding to the inside of the vehicle by a partition running along the lamp over a substantial depth and comprising a light source (14,16), a flux concentrator and/or recuperator element comprising a mirror arranged in the back of a lamp cavity (18) delimited partly by the said partition, and glazing (12) the partition possessing a free edge in the vicinity of the glazing and the flux concentrator

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and/or recuperator element extending set back with respect to the said free edge of the partition (figs 2 and 5), the lamp possessing a principal emission axis extending substantially parallel to the partition, the said lamp further comprising auxiliary optical means comprising an auxiliary reflecting area (26A1-5) situated on the side opposite the said partition with respect to the bulb and able to direct, directly onto the glazing in the vicinity of the partition an auxiliary luminous flux the average direction of which is substantially inclined laterally with respect to the said principal axis of emission characterised in that the said auxiliary reflecting area comprises a segment of axisymmetric paraboloid focused in the vicinity of the source and the axis of which is oriented along the said average direction (Fig 4, 26A1-5), and a plurality of reflective sub areas obliquely oriented with respect to each other (26a5, 26a4, 26a3, 26a2)

- The said auxiliary reflecting area is adjacent to the mirror (fig 4).
- The said auxiliary reflecting area is formed on a step discontinuity in a second partition opposite the said partition and at a distance from the mirror (fig 4).
- The said auxiliary reflecting area comprises at least two sub areas able to reflect the light in different average directions and/or with different spreading characteristics (col. 6, lines 35-48).
- That the various sub-areas extend along a row (fig 4).
- The said row extends generally vertically (fig 4).
- The mirror of the lamp is able to spread out the light in horizontal and/or vertical cross-section, and in that the auxiliary reflecting area is able to spread out the light in the corresponding cross-section (col. 6, lines 35-48).

- Indicator lamp defined by a certain angular interval for a motor vehicle, delimited at least on one side corresponding to the inside of the vehicle by a partition running along the lamp over a substantial depth and comprising a light source, a flux concentrator and/or recuperator element comprising a mirror arranged in the back of a lamp cavity delimited partly by the said partition, and glazing, the partition possessing a free edge in the vicinity of the glazing and the flux concentrator and/or recuperator (18) element extending set back with respect to the said free edge of the partition, the lamp possessing a principal emission axis extending substantially parallel to the partition, the said lamp further comprising auxiliary optical means comprising an auxiliary reflecting area situated on the side opposite the said partition with respect to the bulb and able to direct, directly onto the glazing in the vicinity of the partition, an auxiliary luminous flux the average direction which is substantially inclined laterally with respect to the said principal axis of emission, wherein the said auxiliary reflecting area comprises a segment of axisymmetric paraboloid focused (26a2-5) in the vicinity of the source and the axis of which is oriented along the said average direction and at least two sub-areas able to reflect the light in different average directions.
- Indicator lamp defined by a certain angular interval for a motor vehicle, delimited at least on one side corresponding to the inside of the vehicle by a partition running along the lamp over a substantial depth and comprising a light source, a flux concentrator and/or recuperator element comprising a mirror arranged in the

back of a lamp cavity delimited partly by the said partition (18), and glazing, the partition possessing a free edge in the vicinity of the glazing and the flux concentrator and/or recuperator element extending set back with respect to the said free edge of the partition(fig 4), the lamp possessing a principal emission axis extending substantially parallel to the partition(Ax), the said lamp further comprising auxiliary optical means comprising an auxiliary reflecting area situated on the side opposite the said partition with respect to the bulb and able to direct, directly onto the glazing in the vicinity of the partition, an auxiliary luminous flux the average direction which is substantially inclined laterally with respect to the said principal axis of emission, wherein the said auxiliary reflecting area comprises a segment of axisymmetric paraboloid focused in the vicinity of the source and the axis of which is oriented along the said average direction and at least two sub-areas able to reflect the light with different spreading characteristics(26a1-5).

### ***Response to Arguments***

3. Applicant's arguments filed 07/08/03 have been fully considered but they are not persuasive. With regards to applicant's argument that it is not believed that Sato discloses sub zones that reflect light along two different directions and with different distributions, applicant also argues that the reflective surfaces (26a1-26a5) are not obliquely oriented with respect to each other. Examiner disagrees for the following reasons. With regards to the reflective surfaces 26a1-26a5 as shown in cross section figure 4 they are angled with respect to optical axis Ax and being angled, some light is

reflected off them in a direction different, albeit slightly to each other and to the main optical axis and diverging at a point differently to each respective emission from each other. With regards to the reflective surfaces 26a1-26a5 not being obliquely oriented with respect to each other, as seen in figure 1, the reflective surfaces do not appear to be perpendicular nor parallel to each other, suggesting obliqueness with respect to each other.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Anabel M Ton  
Examiner  
Art Unit 2875

AMT

A handwritten signature in black ink, appearing to read 'Thomas M. Sember', with a long horizontal flourish extending to the right.

**THOMAS M. SEMBER  
PRIMARY EXAMINER**